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Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

**RE: Notice of Proposed Rulemaking (NPRM) in WC Docket No. 06-122**

Dear Ms. Dortch:

The purpose of this document is to provide reply comments in the above-referenced USF Cap proceeding from the Tigard-Tualatin School District (TTSD) and to amplify our comments filed on July 26 in this instant docket. The Tigard-Tualatin School District (BEN: 144915) is the ninth largest school district in Oregon and the fifth largest in the Portland metropolitan area.

As we review the comments filed with the Commission on or before July 26, we observe that an overwhelming majority of commenters are opposed to the imposition of a cap, as well as the notion of combining the e-rate program with the rural health care component, two separate and discrete missions of the overall universal service challenge. Our research also notes that the Commission is concerned about prudent use of universal service funding, including e-rate funding. TTSD is pleased to share with the Commission that it is engaged in pioneering work within the educational community to show the Academic Return on Investment (AROI) for all federal and state sources of district funding, including the e-rate funds received by TTSD. We further submit that there is a greater and long-term cost to not investing fully in the education of the future of America, the student population.

We now share a series of comments that are adamantly opposed to capping the fund as proposed in the Notice. The first two sets of comments are from the educational community. The National Education Association (NEA) is the nation's largest professional employee organization, whose three million members work at every level of education. At page 2, NEA expresses a concern that the proposed changes in the NPRM *"contribute to a disturbing pattern of Commission action incongruent with supporting students and 21<sup>st</sup> century teaching and learning. The NEA calls upon the Commission to immediately terminate this rulemaking and abandon these harmful proposals."*

The National School Boards Association (NSBA) contended at page two that implementing an overall budget cap *“would force school boards and districts across the nation to face uncertainty in their yearly budgeting process and place adequate connectivity for their students in jeopardy.”* The NSBA represents more than 90,000 school board officials serving more than 50 million public school students in over 13,600 local school districts.

The four USF programs were created for different purposes and not *“meant to be viewed holistically”* regarding their budgets, NSBA said. *“NSBA calls on the Commission to reject this proposed rule and instead to focus on efforts to strengthen E-Rate, a program that is working, and work on positive ways to bridge the digital divide in education, commonly referred to as the Homework Gap,”* NSBA stated on page 3 of its filing. *“This renewed effort to better connect the nation aligns with the original goals when USF was created.”*

Other parties in the comment round expressed similar concerns. The backbone of network infrastructure that supports the e-rate fund is built and maintained by broadband carriers. We share citations from a commenter representing broadband providers that captures the essence of the policy argument.

This citation comes from GVNW Consulting (GVNW), an organization that maintains one of its offices within our school district boundaries. At page 1 of its comments, GVNW offers a policy argument that:

*GVNW believes that the establishment of an overall cap of the USF Fund would be contrary to Congress’ intent and the Act, and that a cap would not make for a prudent public policy because it could stifle the very broadband deployment that the Commission seeks to promote and advance throughout the country. Further, an overall cap on the USF Fund could cause competition amongst the four USF programs for funding and, if so, some or all of the programs will not have sufficient funding to promote and advance its particular and specific area of need. Moreover, the job of deploying broadband using these USF mechanisms has just begun and there is still a great deal of broadband deployment left for carriers to do before the goal is accomplished.*

We urge the Commission to exercise a good dose of common sense and abandon any proposal that places an overall cap of the federal USF and soundly reject any notion of combining the much-needed e-rate funding with the important funding for rural health care providers.

Respectfully submitted,

/s/Dr. Susan R. Rieke-Smith, Ed.D. (ECFS on 8/23/19)

Susan R. Rieke-Smith, Ed.D.  
Superintendent